

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO ELECTRIC POWER AUTHORITY,

Debtor.

PROMESA

Title III

No. 17 BK 4780-LTS

PUERTO RICO ELECTRIC POWER AUTHORITY,

Movants,

-v-

WINDMAR RENEWABLE ENERGY, UNIÓN DE
TRABAJADORES DE LA INDUSTRIA
ELÉCTRICA Y RIEGO, INC., COMITÉ DIÁLOGO
AMBIENTAL, INC., EL PUENTE DE
WILLIAMSBURG, INC. ENLACE LATINO DE
ACCIÓN CLIMÁTICA, COMITÉ YABUCOEÑO

**Re ECF Nos. 1951, 1973, 1974,
1997, 2010, 2012**

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico ("Commonwealth") (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

PRO-CALIDAD DE VIDA, INC., ALIANZA
COMUNITARIA AMBIENTALISTA DEL
SURESTE, INC., SIERRA CLUB PUERTO RICO,
INC., MAYAGÜEZANOS POR LA SALUD Y EL
AMBIENTE, INC., COALICIÓN DE
ORGANIZACIONES ANTI INCINERACIÓN,
INC., AMIGOS DEL RÍO GUAYNABO, INC.,
CAMPAMENTO CONTRA LAS CENIZAS EN
PEÑUELAS, INC., and CAMBIO PR, INC

Respondents.

**JOINT INFORMATIVE MOTION REGARDING JUNE 3, 2020
HEARING ON PREPA’S MOTION FOR ENTRY OF AN ORDER
AUTHORIZING PREPA TO ASSUME CERTAIN CONTRACTS WITH
ECOELÉCTRICA, L.P. AND GAS NATURAL APROVISIONAMIENTOS SDG, S.A.**

To the Honorable United States District Judge Laura Taylor Swain:

The Puerto Rico Electric Power Authority (“PREPA”), by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), EcoEléctrica, L.P. (“ECO”), Unión de Trabajadores de la Industria Eléctrica y Riego, Inc (“UTIER”), Windmar Renewable Energy (“Windmar”), and the Environmental Advocacy Group² (together with PREPA, the Oversight Board, ECO, UITER, and Windmar, the “Parties”) respectfully submit this joint informative motion pursuant to the Court’s *Order Regarding Procedures for June 3–4, 2020, Omnibus Hearing* [Case No. 17-3283, ECF No. 12721] (the “Procedures Order”) and respectfully state as follows:

1. The Parties will appear telephonically at the June 3, 2020 hearing on *PREPA’s Urgent Motion for Entry of an Order Authorizing PREPA to Assume Certain Contracts with*

² The Environmental Advocacy Group consists of Comité Diálogo Ambiental, Inc., El Puente de Williamsburg, Inc. Enlace Latino de Acción Climática, Comité Yabucoño Pro-Calidad de Vida, Inc., Alianza Comunitaria Ambientalista del Sureste, Inc., Sierra Club and its Puerto Rico chapter, Mayagüezanos por la Salud y el Ambiente, Inc., Coalición de Organizaciones Anti-Incineración, Inc., Amigos del Río Guaynabo, Inc., Campamento Contra las Cenizas en Peñuelas, Inc., and CAMBIO P.R.

EcoEléctrica, L.P and Gas Natural Aprovevisionamientos SDG, S.A. [Case No. 17-3283, ECF No. 12579, Case No. 17-4780, ECF No. 1951] (the “Motion”) as well as any and all objections, responses, statements, joinders, and replies to the Motion.

2. The following individuals may appear and speak on behalf of the Parties:

- a. Oversight Board: Paul Possinger of Proskauer Rose LLP
- b. PREPA: Michael Malone of King & Spalding LLP
- c. ECO: Fredric Sosnick of Shearman & Sterling LLP
- d. UTIER: Jessica E. Méndez Colberg of Bufete Emmanuelli, C.S.P.
- e. Windmar: Fernando Agrait
- f. Environmental Advocacy Group: William Santiago Sastre

3. The Parties understand the Court has allocated 50 minutes for a hearing on the Motion. The Parties have agreed to allocate such time as follows, listed in the order in which the Parties shall present:

- a. Supporting Parties’ Opening Argument: 20 minutes
 - i. Oversight Board and PREPA: 18 minutes
 - ii. ECO: 2 minutes
- b. Objecting Parties’ Argument: 25 minutes
 - i. UTIER: 15 minutes
 - ii. Windmar: 5 minutes
 - iii. Environmental Advocacy Group: 5 minutes
- c. Supporting Parties’ Rebuttal Argument: 5 minutes
 - i. Oversight Board: 5 minutes

WHEREFORE, the Parties respectfully request that the Court take notice of the above.

Dated: May 31, 2020.
San Juan, Puerto Rico

Respectfully submitted,

/s/ Martin J. Bienenstock
Martin J. Bienenstock
Paul V. Possinger
Ehud Barak
Maja Zerjal
(Admission *pro hac vice*)
PROSKAUER ROSE LLP
Eleven Times Square
New York, NY 10036
Tel: (212) 969-3000
Fax: (212) 969-2900

*Attorneys for the Financial Oversight and
Management Board as representative for the
Debtors*

/s/ Hermann D. Bauer
Hermann D. Bauer
USDC No. 215205
O'NEILL & BORGES LLC
250 Muñoz Rivera Ave., Suite 800
San Juan, PR 00918-1813
Tel: (787) 764-8181
Fax: (787) 753-8944

*Co-Attorneys for the Financial Oversight and
Management Board as representative for the
Debtors*

/s/ Michael Kelly Malone
Michael Kelly Malone (*pro hac vice*)
KING & SPALDING LLP
1185 Avenue of the Americas
New York, NY 10036
Tel: (347) 327-2416
mkmalone@kslaw.com

/s/ Fredric Sosnick
Fredric Sosnick (*pro hac vice*)
SHEARMAN & STERLING LLP
599 Lexington Avenue
New York, NY 10022
Tel: (212) 848-4000
Fax: (646) 848-8571

and

Attorney for EcoEléctrica, L.P.

/s/ Katuska Bolaños

Katuska Bolaños
USDC No. 231812
DÍAZ & VÁZQUEZ LAW FIRM, PSC
290 Jesús T. Piñero Ave.
Oriental Tower, Suite 1105
San Juan, PR 00918
Tel. (787) 395-7133
Fax: (787) 497-9664

*Attorneys for the Puerto Rico Electric Power
Authority*

/s/ Rolando Emmanuelli Jiminéz

Rolando Emmanuelli Jiminéz
USDC No. 214105
Jessica E. Méndez-Colberg
USDC No. 302108
BUFETE EMMANUELLI C.S.P.
472 Tito Castro Ave.
Marvesa Building, Suite 106
Ponce, PR 00716
Tel: (787) 848-0666
Fax: (787) 841-1435

*Attorney for Unión de Trabajadores de la
Industria Eléctrica y Riego, Inc*

/s/ William Santiago-Sastre

William Santiago-Sastre
USDC No. 201106
P.O. Box 1801
Sabana Seca, PR 00952
Tel: (786) 622-3939

Attorney for Environmental Advocacy Group

/s/ Fernando E. Agrait

Fernando E. Agrait
T.S. Num. 3772
701 Avenida Ponce de Leon
Office 414
San Juan, PR 00907
Tel: (787) 723-3390
Fax: (787) 724-0353

Attorney for Windmar Renewable Energy